

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN**

IN RE:

TODD A. BRUNNER and SHARON Y. BRUNNER

Case No. 11-29064

Chapter 11

Debtors.

AFFIDAVIT OF KAREN BRAUN

STATE OF WISCONSIN)
) SS
WAUKESHA COUNTY)

Karen Braun, being duly sworn under oath, states as follows:

1. I am a Senior Civil Engineer with the Waukesha County Department of Public Works ("Waukesha County") and I am duly authorized to make this Affidavit on behalf of Waukesha County. I make this Affidavit based upon my review of the files in Waukesha County's possession and kept in the ordinary course of its business, as well as my personal knowledge of the file.

2. To reduce automobile accidents at the intersection of CTH V and Good Hope Road in the Town of Lisbon, Waukesha County, Wisconsin (the "Intersection"), the County finalized a plan to construct a roundabout at the Intersection. The County concluded that acquisition of certain property was necessary to improve the Intersection by the creation of the roundabout (the "Project"). The property necessary for the Project includes a strip of additional right-of-way of 0.053 acres described as:

That part of the Northeast ¼ of the Northeast ¼ of Section 24,
Township 8 North, Range 19 East, in the Town of Lisbon,
Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the northeast corner of said Northeast $\frac{1}{4}$; thence South $00^{\circ}19'34''$ West, on and along the east line of said Northwest $\frac{1}{4}$, 431.55 feet to the point of beginning; thence continuing South $00^{\circ}19'34''$ West, on and along said east line, 90.75 feet; thence South $88^{\circ}46'48''$ West, 50.02 feet; thence North $00^{\circ}19'34''$ East, 90.75 feet; thence North $88^{\circ}46'48''$ East, 50.02 feet; to the point of beginning.

This parcel contains 0.052 acres of land already in use for highway purposes and 0.053 acres, more or less, of additional land.

(the "Strip of Land") from the property commonly known as W220 N7129 Townline Road, Lisbon, Wisconsin (the "Property"). In order to obtain title to the Strip of Land, the County began the steps of condemnation under Wis. Stat. § 32.05.

3. The County conducted a title search on the Property in October 2010 and discovered that a quit claim deed was recorded on October 13, 2010 whereby Todd Brunner transferred title to the Property to his son, Shawn Brunner. A true and correct copy of the quit claim deed is attached to hereto as **Exhibit A**.

4. Because the title search revealed that Shawn Brunner was the record title holder, the County sent all notices required by Wis. Stat. § 32.05 to Shawn Brunner.

5. Todd Brunner and Shawn Brunner used the same mailing address during all relevant time periods.

6. The Waukesha County Board of Supervisors approved a relocation order in Enrolled Ordinance no. 165-90 on February 22, 2011, and thereafter filed the relocation order with the Waukesha County Clerk. A certified copy of Enrolled Ordinance no. 165-90 is attached hereto as **Exhibit B**.

7. Pursuant to Wis. Stat. § 32.05(2), the County was required to obtain an appraisal of all of the property proposed to be acquired. On March 21, 2011, the County sent a letter to Shawn Brunner introducing the appraiser, Gene Bock, and providing contact information for Steve Boll of

Single Source, who was acting as the negotiating agent of the County in the acquisition of the Strip of Land for the Project. A true and correct copy of the County's letter to Shawn Brunner is attached hereto as **Exhibit C**.

8. On April 1, 2011, the County approved Mr. Bock's appraisal of the Strip of Land at \$4,300.00, and Mr. Boll mailed a letter and a copy of the appraisal report to Shawn Brunner on April 4, 2011, as required by Wis. Stat. § 32.05(2). A true and correct copy of Mr. Boll's letter to Shawn Brunner is attached hereto as **Exhibit D**, without the enclosures referenced therein. The letter notified Shawn Brunner of his rights under Wis. Stat. § 32.05, including his right to obtain an additional appraisal within sixty (60) days of his receipt of the letter, and provided Shawn Brunner with a copy of a brochure entitled "The Rights of Landowners Under Wisconsin Eminent Domain Law". See **Exhibit D, at 1-2**.

9. Todd Brunner contacted Mr. Boll on April 7, 2011 regarding the condemnation proceeding, and throughout the spring of 2011 Mr. Boll attempted, unsuccessfully, to obtain a meeting with Todd Brunner to engage in negotiations, as required by Wis. Stat. § 32.05(2a).

10. At all times Mr. Boll understood that Todd Brunner was acting as the representative of Shawn Brunner, the owner of the Property.

11. After two and one half months of failed attempts to negotiate the County's purchase of the Strip of Land with Todd Brunner, on June 17, 2011, the County transmitted a Jurisdictional Offer of \$4,300.00 to Shawn Brunner by certified mail (the "Jurisdictional Offer") as required by Wis. Stat. § 32.05(3). A true and correct copy of the Jurisdictional Offer is attached hereto as **Exhibit E**.

12. A Notice of Lis Pendens was filed with a copy of the Jurisdictional Offer on June 23, 2011, as required by Wis. Stat. § 32.05(4). A true and correct copy of the Notice of Lis Pendens is attached hereto as **Exhibit F**.

13. Unbeknownst to the County, on April 13, 2011, Shawn Brunner had transferred title to the Property back to Todd Brunner by quit claim deed. A true and correct copy of the April 13, 2011 quit claim deed is attached hereto as **Exhibit G**.

14. The County did not become aware of the transfer of title until June 22, 2011.

15. On June 23, 2011 I personally met with the Debtors and Shawn Brunner and negotiated a purchase price for the Strip of Land in the amount of \$12,850 (the "Negotiated Price") in accordance with the requirements of Wis. Stat. § 32.05(2a).

16. The Debtors have agreed to sell the Strip of Land to the County for the Negotiated Price.

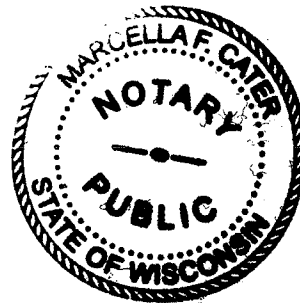
DATED this 11th day of August, 2011.

By: Karen Braun
Karen Braun

Subscribed and sworn to before me
this 11th day of August, 2011.

Marcella F. Cate
Notary Public, State of Wisconsin
My Commission Expires: 10/21/2012

22494228_1.DOC



State Bar of Wisconsin Form 3 - 2003

QUIT CLAIM DEED

Document Number

Document Name

THIS DEED, made between **TODD A. BRUNNER**

("Grantor," whether one or more),
and **SHAWN A. BRUNNER**

("Grantee," whether one or more).

Grantor, quit claims to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in **WAUKESHA** County, State of Wisconsin ("Property")

(if more space is needed, please attach addendum):

THE SOUTH ONE-HALF (1/2) OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE TOWN OF LISBON, COUNTY OF WAUKESHA, STATE OF WISCONSIN, TO-WIT; ALL OF A PARCEL OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER (1/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP EIGHT (8) NORTH OF RANGE NINETEEN (19) EAST, BOUNDED AND DESCRIBED MORE FULLY AS FOLLOWS, TO-WIT; COMMENCING AT THE NORTHEAST CORNER OF SECTION TWENTY-FOUR (24), THENCE RUNNING SOUTH ALONG THE EAST LINE OF SAID SECTION 338.70 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING ALONG THE EAST LINE OF SAID SECTION 181.50 FEET TO A POINT; THENCE CONTINUING WEST AND PARALLEL TO THE NORTH LINE OF SAID SECTION 600.00 FEET TO A POINT; THENCE CONTINUING NORTH AND PARALLEL TO THE EAST LINE OF SAID SECTION 181.50 FEET TO A POINT; THENCE CONTINUING EAST AND PARALLEL TO THE NORTH LINE OF SAID SECTION 600.00 FEET TO THE PLACE OF BEGINNING. PROPERTY ADDRESS: W220N7129 TOWN LINE ROAD. TAX KEY NO.: LSBT 0237.994.

Dated **AUGUST 15, 2010**

(SEAL)

(SEAL)

AUTHENTICATION

Signature(s) _____

authenticated on _____

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:

TODD BRUNNER

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

QUIT CLAIM DEED

STATE BAR OF WISCONSIN

*Type name below signatures.

Investment Specialists N39W27051 Glacier Rd Pewaukee, WI 53072-2328
Investment Specialists

Phone: 262.695.9130 Fax: 262.691.2565
Produced with ZipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48036 www.zipLogix.com

3781331

REGISTER OF DEEDS
WAUKESHA COUNTY, WI
RECORDED ON

October 13, 2010 03:41 PM
James R Behrend
Register of Deeds

1 PG
TOTAL FEE: \$30.00
TRANS FEE: \$0.00
Book Page -



Recording Area

Name and Return Address

SHAWN A. BRUNNER
PO BOX 252
HARTLAND, WI 53029

LSBT 0237994

Parcel Identification Number (PIN)

This IS NOT homestead property.
(is) (is not)

FEE
#77.25 (8)
EXEMPT

ACKNOWLEDGMENT

STATE OF WISCONSIN

WAUKESHA COUNTY

Personally came before me on **August 15, 2010**
the above-named **TODD A. BRUNNER**

to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

* **DENNIS WITTHUN**

Notary Public, State of Wisconsin

My Commission (is permanent) (expires: **07/06/2013**)

EXHIBIT

A

CERTIFICATE

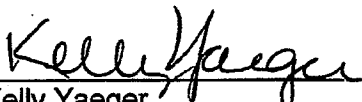
STATE OF WISCONSIN)

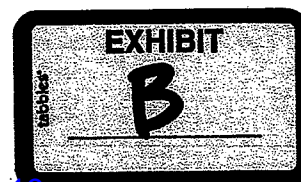
:ss

WAUKESHA COUNTY)

I, Kelly Yaeger, Deputy County Clerk in and for the County of Waukesha, State of Wisconsin, DO HEREBY CERTIFY that the attached Enrolled Ordinance 165-90 was adopted by the Waukesha County Board of Supervisors in regular session on the 22nd day of February, 2011.

CERTIFIED this 4th day of March, A.D., 2011.


Kelly Yaeger
Deputy County Clerk, CERA



ENROLLED ORDINANCE 165-90

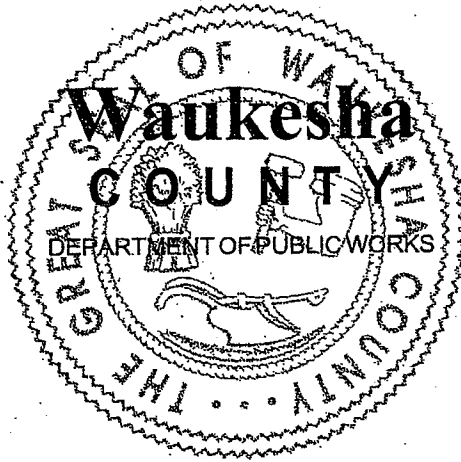
LAYING OUT, RELOCATION AND IMPROVEMENT OF COUNTY TRUNK
HIGHWAY V, WAUKESHA COUNTY PROJECT, PROJECT I.D. 10-2776(14),
GOOD HOPE ROAD INTERSECTION, VILLAGE OF LANNON,
TOWN OF LISBON, WAUKESHA COUNTY

WHEREAS the County Board of Supervisors of Waukesha County finds that the proper improvement in maintenance of County Trunk Highway V in the Village of Lannon and Town of Lisbon from a point that is 1153.70 feet South of the Northwest Corner of Section 19, Town 8 North, Range 20 East in the Village of Lannon, Waukesha County, State of Wisconsin to a point that is located 846.30 feet north of the Southwest Corner of Section 18, Town 8 North, Range 20 East in the Village of Lannon, Waukesha County, State of Wisconsin requires certain relocation or changes and the acquisition of certain rights of way as shown on the plat marked "Plat of Right of Way Required for CTH V, Project I.D. 10-2776(14), CTH V, Good Hope Road Intersection, Waukesha County".

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that County Trunk Highway V is hereby changed or relocated from a point that is 1153.70 feet South of the Northwest Corner of Section 19, Town 8 North, Range 20 East in the Village of Lannon, Waukesha County, State of Wisconsin to a point that is located 846.30 feet north of the Southwest Corner of Section 18, Town 8 North, Range 20 East in the Village of Lannon, Waukesha County, State of Wisconsin certain relocation or changes and the acquisition of certain rights of way as shown on the plat marked "Plat of Right of Way Required for CTH V, Project I.D. 10-2776(14), CTH V, Good Hope Road Intersection, Waukesha County", said plat on file in the County Clerk's office and adopted by reference under the authority granted by Section 83.08 and Chapter 32 of the Wisconsin Statutes.

Daniel P. Vrakas
County Executive

Allison Bussler
Director of Public Works



March 21, 2011

Shawn Brunner
N39W27051 Glacier Road
Pewaukee, WI 53072

Re: PROJECT I.D. 10-2776(14)
CTH V – Good Hope Road Intersection
Village of Lannon and Town of Lisbon
Waukesha County
Parcel 8

Dear Mr. Brunner:

Waukesha County is working with Gene Bock of Southern Wisconsin Appraisal to value the planned real estate acquisition at your property for the above referenced project. Mr. Bock is gathering data and writing his reports at this time. We expect to receive the reports on or before April 1, 2011. You will be provided with a copy of this report when it is available.

To help Waukesha County acquire the necessary property rights for this project, we have contracted with Single Source, Inc. Single Source will act as an agent for Waukesha County in the acquisition of the necessary right of way for this project. Mr. Steve Boll, of Single Source will be your primary contact for the project, and is available to assist in the right of way acquisition process. He can be reached at (262) 789-8300.

You will be receiving a copy of the appraisal report and an offer package from Mr. Boll in early April 2011. At that time, he will be available to meet with you to discuss the project and the acquisition process. You are also welcome to contact him at any time, if you have questions or project concerns.

Waukesha County is looking forward to working with you on this project over the next several months.

Sincerely,

Karen Braun, Senior Civil Engineer
Waukesha County Department of Public Works

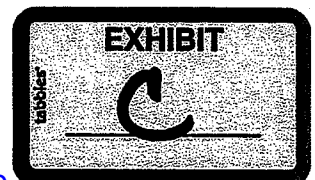
KB:mc

Enclosure

C: Steve Boll, Single Source Inc.
Allison Bussler, Director - Waukesha County DPW

N:\DPW\Engineer\PROJECTSW at Goodhope Rd\RW Files\Intro letter Single Source.doc

515 W. Moreland Blvd., Rm. 220
Waukesha, Wisconsin 53188
Phone: (262) 548-7740
Fax: (262) 896-8097
www.waukeshacounty.gov





SINGLE SOURCE

Turnkey Services for Eminent Domain

April 4, 2011

Shawn A. Brunner
N39 W27051 Glacier Road
Pewaukee, Wisconsin 53072

CERTIFIED MAIL

Subject: Project I.D. 10-2776(14)
CTH V - Good Hope Road Intersection
Village of Lannon / Town of Lisbon, Waukesha County

RE: Parcel No. 8

Dear Mr. Brunner:

As noted in the letter of March 21, 2011, that you received from Waukesha County ("County") Department of Public Works, the County will be reconstructing the CTH V and Good Hope Road intersection. In order to provide the right-of-way necessary for this construction, the County needs to purchase additional land or easements from several property owners that are adjacent to the intersection. Your property is one of those so affected.

An approved offering price of \$4,300.00 has been established. The offer is based upon the enclosed appraisal report and is allocated as follows:

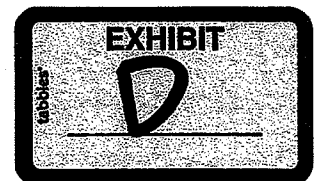
0.053 AC FEE Area:	\$3,000.00 RD
Site Improvements:	<u>\$1,300.00</u>
TOTAL DAMAGES:	\$4,300.00

The determination of this offer is based on the fair market value of the property.

If after reviewing the appraisal, you feel our offer is not fair, you may obtain an additional appraisal from a qualified appraiser of your choice as provided in Sec. 32.05(2)(b), Wisconsin Statutes. Waukesha County will pay the reasonable cost of that appraisal. However, for consideration and to qualify the charges for reimbursement, the appraisal must be a full narrative appraisal and a copy must be submitted to this office within 60 days of your receipt of this letter. An outline of the requirements for a full narrative appraisal is enclosed. **The 60-day period will expire on Monday, June 6, 2011.**

Should the offering price be acceptable to you, please sign and date the enclosed Deed and have it notarized. Please return one copy of the Deed to this office in the enclosed postage-paid, self-addressed envelope.

We are available to meet with you at your property or at your office and at your convenience to discuss the acquisition process and the sidewalk project.



April 4, 2011

Page 2 of 2

I am also enclosing the brochure entitled "The Rights of Landowners Under Wisconsin Eminent Domain Law". This brochure will provide information regarding your rights and serve as a guide during this acquisition process.

Also enclosed is a Request for Taxpayer Identification Number and Certification, Form W-9. We are required to report payments in excess of \$600.00. Please execute this document and return it with the Deed.

Please call me at 262-789-8300, ext. 103. If your phone number is unlisted or if you are only available via a mobile phone, please call Sue Kiel at our office, 262-789-8300, ext. 104 with your contact information.

We ask that you give this matter your earliest consideration and we thank you in advance for your cooperation.

Respectfully,

Single Source, Inc.



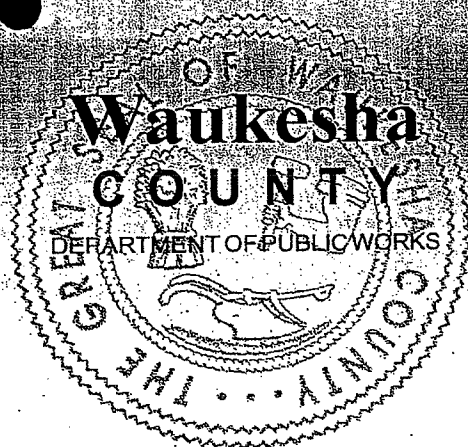
Steve Roll
Real Estate Specialist

SB:sk

Enclosures: Conveyance / Warranty Deed
 Appraisal
 Brochure: "Appraisal Guidelines and Agreement"
 Brochure: "The Rights of Landowners Under Wisconsin Eminent Domain Law"
 Plat
 Request for Taxpayer Identification Number and Certification - Form W-9

Daniel P. Vrakas
County Executive

Allison Bussler
Director of Public Works



June 17, 2011

Shawn A. Brunner
N39 W27051 Glacier Road
Pewaukee, Wisconsin, 53072

CERTIFIED MAIL

Re: PROJECT I.D. 10-2776(14)
CTH V – Good Hope Road Intersection
Village of Lannon and Town of Lisbon
Waukesha County
Parcel 8

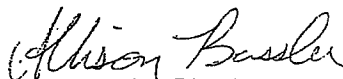
Dear Mr. Brunner:

Waukesha County has attempted to negotiate with you for the acquisition of additional right of way for the reconstruction of CTH V at Good Hope Road. We have been unsuccessful in reaching a negotiated settlement for the land. In order to complete the right of way acquisition and the construction of the project, we are issuing a Jurisdictional Offer for the needed right of way provided by Wisconsin Statutes s.32.05. The Jurisdictional Offer will also be recorded at the Waukesha County Register of Deeds office.

Please review the offer and respond by the date indicated in Paragraph E of the offer. We have enclosed two copies of the Jurisdictional Offer. Only one signed copy needs to be returned with your acceptance or rejection of the offer. Should you reject the offer, or the twenty-day limit expires, an Award of Damages will be issued transferring ownership of the new right of way to Waukesha County.

Should you have any questions, please contact Steve Boll of Single Source at (262)789-8300.

Sincerely,


Allison Bussler, Director
Department of Public Works

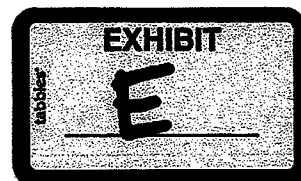
AB:KB:mc

Enclosure

C: Steve Boll, Single Source
Cornerstone Community Bank
Department of Workforce Development
City of Milwaukee

N:\DPW\Engineer\PROJECTS\W at Goodhope Rd\RW Files\Parcels\Parcel 8\jo letter 8.doc

515 W. Moreland Blvd., Rm. 220
Waukesha, Wisconsin 53188
Phone: (262) 548-7740
Fax: (262) 896-8097
www.waukeshacounty.gov



JURISDICTIONAL OFFER

s.32.05 Wisconsin Statutes

Date: June 17, 2011

To:

Shawn A. Brunner

hereinafter referred to as Owner.

Date of Relocation Order
February 22, 2011

Relocation Order Filed with County Clerk of
Waukesha County

Public Purpose for Property
Reconstruction of CTH V at Good Hope Road

Waukesha County hereinafter referred to as Purchaser, offers to purchase a parcel of real estate and/or rights therein in which you own an interest all as particularly described on attached page and agrees to pay the sum of: Four Thousand Three Hundred Dollars and 00/100 \$ 4,300.00 within 60 days from the acceptance of this offer.

A. The said property, and/or rights as described, are required by Waukesha County for the public purpose stated above, as more fully described in the Waukesha County Relocation Order, date and place of filing specified above. Waukesha County in good faith intends to use the above-described property for such public purpose.

B. Waukesha County proposes to occupy and the Owner will vacate the premises on: July 15, 2011

C. Pursuant to s.32.05(3)(d) Wis. Stats., the above purchase price is allocated as follows:

a) Loss of land, including improvements and fixtures actually being acquired	\$ 4,300.00
b) Damages caused by loss of existing rights of access	\$ 0.00
c) Damages caused by loss of air rights	\$ 0.00
d) Damages caused by loss of legal nonconforming use	\$ 0.00
e) Damages resulting from actual severance of land including damages resulting from severance of improvements or fixtures and proximity damage to improvements remaining on Owner's land	\$ 0.00
f) Damages to property abutting on a highway right of way due to change of grade	\$ 0.00
g) Cost of fencing reasonably necessary to separate land taken from remainder	\$ 0.00
h) Market value of uneconomic remnant	\$ 0.00
i) Other	\$ 0.00

Compensation for additional items of damage listed in s.32.19 Wis. Stats. has not been included. If any such items are shown to exist the owner may file claims as provided in s.32.20 Wis. Stats.

D. The purchase price is based upon an appraisal of the owner's property of which a copy of the appraisal report has been provided to the owner.

E. Owner has 20 days from the date of personal service of this offer, if personally served, or 20 days from the date of postmark of the certified mail envelope transmitting this offer, if transmitted by mail, or 20 days from the date of publication of this offer, if published, in which to accept this offer, unless such time is extended by mutual written consent of Owner and Purchaser. Acceptance shall be as follows: Owner must execute the acceptance clause on back of this offer on or prior to July 7, 2011 and the offer and acceptance must be delivered to Purchaser at Single Source, Inc., Attn: Steve Boll, 12750 West North Avenue, Brookfield, Wisconsin, 53005

not later than regular office closing time on July 7, 2011, or mailed to Purchaser at the last above stated address in an addressed, postage prepaid envelope bearing postmark of not later than 12:00 p.m. July 7, 2011

Project 10-2776(14)

Page 1 of 3

Parcel No. 8

- F. If the Owner does not accept this offer as set forth, Owner has 40 days from the date of service, postmark or publication of this offer to commence a court action to contest the right of condemnation as provided in s. 32.05(5) Wis. Stats. provided that the acceptance and retention of any compensation resulting from an award made prior to the commencement of such an action shall be an absolute bar to such action.
- G. If owner agrees to accept the Jurisdictional Offer, it is considered a negotiated purchase, therefore the condemnor must record the conveyance with the register of deeds in the county where the land is located. Also, all owners of record should receive by certified mail a copy of the conveyance and a notice of their right to appeal within 6 months after the date of the recording of the conveyance. Such an appeal would challenge the amount of compensation received by the property owner from an accepted Jurisdictional Offer.
- H. Owner has 2 years from the date of the recording of an award, as described in s. 32.05(7) Wis. Stats., in the office of the Register of Deeds in which to appeal for greater compensation without prejudice to Owner's right to use the compensation given to Owner by the award. Owner's right of appeal is subject to the provisions of s. 32.05(9)(a) and (11), Wis. Stats.
- I. The law provides for the payment of litigation expenses by the condemnor and these costs are defined in Ch. 814 of Wisconsin Statutes.
- J. If this offer is accepted by Owner, the transfer of title shall be accomplished within 60 days after acceptance including the payment to Owner of said purchase price, provided however, that notwithstanding any provision herein to the contrary, said 60-day period may, at the request of the Owner, be extended by mutual written agreement of the Owner and Purchaser.
- K. This offer may be withdrawn by Purchaser at any time prior to its acceptance by Owner.
- ~~L. Real estate taxes for the current year shall be prorated as of the date of proposed occupancy set forth, said proration to be based upon the latest available tax assessment.~~
- M. Purchaser will prepare necessary instruments to accomplish said transfer. Transfer shall be by Warranty Deed unless a lesser conveyance is accepted by Purchaser. Transfer shall be free of defects and encumbrances but subject to ordinances and restrictions of record.
- N. If all persons or entities designated as Owner do not accept this offer within the time specified, this offer will be deemed to have been rejected by all such persons or entities notwithstanding the acceptance by one or more of such persons or entities.
- O. Included in the purchase price is payment in full for the acquisition of the following items now on the described property: Description on additional page(s). NONE
- P. This offer, if accepted by Owner, shall constitute a binding contract.

Waukesha County



Allison Bussler, Director
(Print Name and Title)

☐ ACCEPTED ☐ REJECTED

If Owner is not a Firm or Corporation, Sign Below.

Firm or Corporation

(Name of Firm or Corporation)

(Owner)

Date

(Officer)

(Title)

Date

(Owner)

Date

(Officer)

(Title)

Date

Legal Description

Fee Title in and to the following tract of land in Waukesha County, State of Wisconsin, described as follows:

That part of the Northeast 1/4 of the Northeast 1/4 of Section 24, Township 8 North, Range 19 East, in the in the Town of Lisbon, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the northeast corner of said Northeast 1/4; thence South 00°19'34" West, on and along the east line of said Northeast 1/4, 431.55 feet to the point of beginning; thence continuing South 00°19'34" West, on and along said east line, 90.75 feet; thence South 88°46'48" West, 50.02 feet; thence North 00°19'34" East, 90.75 feet; thence North 88°46'48" East, 50.02 feet; to the point of beginning.

This parcel contains **0.052 acres** of land already in use for highway purposes and **0.053 acres**, more or less, of additional land.

NOTICE OF LIS PENDENS

LPA1547 04/2010 (Replaces LPA3030) Ch. 32 Wis. Stats.

State of Wisconsin, County of Waukesha

In the Matter of Acquisition of Real Property of

Shawn A. Brunner

By: Waukesha County

Legal Description:

LEGAL DESCRIPTION IS ATTACHED HERETO AND MADE A PART
HEREOF BY REFERENCE.

You are notified that Waukesha County, has caused to be served upon or mailed to
Shawn A. Brunner, N39 W27051 Glacier Road, Pewaukee, Wisconsin, 53072 and Cornerstone Community Bank, 2090 Wisconsin
Avenue, Grafton, Wisconsin, 53024 and Department of Workforce Development, P.O. Box 7946, Madison, Wisconsin, 53707-7946 and
City of Milwaukee, 200 East Wells Street, Milwaukee, Wisconsin, 53202

as provided in s. 32.05(4) Wis. Stats., a jurisdictional offer, a copy of which is attached and incorporated by reference. The premises
affected by the jurisdictional offer and by the operation of s. 32.05(4) Wis. Stats., are described in the attached and incorporated offer.

Acquiring Agency:

Waukesha County June 17, 2011
(Date)

Allison Bussler
(Signature)

Allison Bussler
(Print Name)

Director - Waukesha County Department of Public
Works
(Title)

3840207

**REGISTER OF DEEDS
WAUKESHA COUNTY, WI
RECORDED ON**

**June 23, 2011 02:06 PM
James R Behrend
Register of Deeds**

**4 PGS
TOTAL FEE: \$30.00
TRANS FEE: \$0.00
Book Page -**



This space is reserved for recording data

Return to
Waukesha County DPW
515 W Moreland Blvd Room 210
Waukesha WI 53188
Parcel Identification Number/Tax Key Number
LSBT 0237-994

*WLC
30
Waukesha
Public
Works*

June 17, 2011
(Date)

State of Wisconsin

Waukesha County
On the above date, this instrument was acknowledged before me
by the named person(s). Allison Bussler

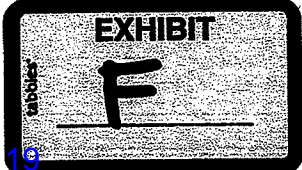
Karen Lynn Braun
(Signature, Notary Public, State of Wisconsin)

KAREN LYNN BRAUN
(Print or type name, Notary Public, State of Wisconsin)
7/21/2013
(Date Commission Expires)

Project 10-2776(14)

This instrument was drafted by Waukesha County

Parcel No. 8



JURISDICTIONAL OFFER

s.32.05 Wisconsin Statutes

Date: June 17, 2011

To:

Shawn A. Brunner

hereinafter referred to as Owner.

Date of Relocation Order
February 22, 2011

Relocation Order Filed with County Clerk of
Waukesha County

Public Purpose for Property
Reconstruction of CTH V at Good Hope Road

Waukesha County hereinafter referred to as Purchaser, offers to purchase a parcel of real estate and/or rights therein in which you own an interest all as particularly described on attached page and agrees to pay the sum of: Four Thousand Three Hundred Dollars and 00/100 \$ 4,300.00 within 60 days from the acceptance of this offer.

A. The said property, and/or rights as described, are required by Waukesha County for the public purpose stated above, as more fully described in the Waukesha County Relocation Order, date and place of filing specified above. Waukesha County in good faith intends to use the above-described property for such public purpose.

B. Waukesha County proposes to occupy and the Owner will vacate the premises on: July 15, 2011

C. Pursuant to s.32.05(3)(d) Wis. Stats., the above purchase price is allocated as follows:

a) Loss of land, including improvements and fixtures actually being acquired	\$ <u>4,300.00</u>
b) Damages caused by loss of existing rights of access	\$ <u>0.00</u>
c) Damages caused by loss of air rights	\$ <u>0.00</u>
d) Damages caused by loss of legal nonconforming use	\$ <u>0.00</u>
e) Damages resulting from actual severance of land including damages resulting from severance of improvements or fixtures and proximity damage to improvements remaining on Owner's land	\$ <u>0.00</u>
f) Damages to property abutting on a highway right of way due to change of grade	\$ <u>0.00</u>
g) Cost of fencing reasonably necessary to separate land taken from remainder	\$ <u>0.00</u>
h) Market value of uneconomic remnant	\$ <u>0.00</u>
i) Other	\$ <u>0.00</u>

Compensation for additional items of damage listed in s.32.19 Wis. Stats. has not been included. If any such items are shown to exist the owner may file claims as provided in s.32.20 Wis. Stats.

D. The purchase price is based upon an appraisal of the owner's property of which a copy of the appraisal report has been provided to the owner.

E. Owner has 20 days from the date of personal service of this offer, if personally served, or 20 days from the date of postmark of the certified mail envelope transmitting this offer, if transmitted by mail, or 20 days from the date of publication of this offer, if published, in which to accept this offer, unless such time is extended by mutual written consent of Owner and Purchaser. Acceptance shall be as follows: Owner must execute the acceptance clause on back of this offer on or prior to July 7, 2011 and the offer and acceptance must be delivered to Purchaser at Single Source, Inc., Attn: Steve Boll, 12750 West North Avenue, Brookfield, Wisconsin, 53005

not later than regular office closing time on July 7, 2011, or mailed to Purchaser at the last above stated address in an addressed, postage prepaid envelope bearing postmark of not later than 12:00 p.m. July 7, 2011


Project 10-2776(14)

Page 1 of 3

Parcel No. 8

- F. If the Owner does not accept this offer as set forth, Owner has 40 days from the date of service, postmark or publication of this offer to commence a court action to contest the right of condemnation as provided in s. 32.05(5) Wis. Stats. provided that the acceptance and retention of any compensation resulting from an award made prior to the commencement of such an action shall be an absolute bar to such action.
- G. If owner agrees to accept the Jurisdictional Offer, it is considered a negotiated purchase, therefore the condemnor must record the conveyance with the register of deeds in the county where the land is located. Also, all owners of record should receive by certified mail a copy of the conveyance and a notice of their right to appeal within 6 months after the date of the recording of the conveyance. Such an appeal would challenge the amount of compensation received by the property owner from an accepted Jurisdictional Offer.
- H. Owner has 2 years from the date of the recording of an award, as described in s. 32.05(7) Wis. Stats., in the office of the Register of Deeds in which to appeal for greater compensation without prejudice to Owner's right to use the compensation given to Owner by the award. Owner's right of appeal is subject to the provisions of s. 32.05(9)(a) and (11), Wis. Stats.
- I. The law provides for the payment of litigation expenses by the condemnor and these costs are defined in Ch. 814 of Wisconsin Statutes.
- J. If this offer is accepted by Owner, the transfer of title shall be accomplished within 60 days after acceptance including the payment to Owner of said purchase price, provided however, that notwithstanding any provision herein to the contrary, said 60-day period may, at the request of the Owner, be extended by mutual written agreement of the Owner and Purchaser.
- K. This offer may be withdrawn by Purchaser at any time prior to its acceptance by Owner.
- ~~L. Real estate taxes for the current year shall be prorated as of the date of proposed occupancy set forth, said proration to be based upon the latest available tax assessment.~~
- M. Purchaser will prepare necessary instruments to accomplish said transfer. Transfer shall be by Warranty Deed unless a lesser conveyance is accepted by Purchaser. Transfer shall be free of defects and encumbrances but subject to ordinances and restrictions of record.
- N. If all persons or entities designated as Owner do not accept this offer within the time specified, this offer will be deemed to have been rejected by all such persons or entities notwithstanding the acceptance by one or more of such persons or entities.
- O. Included in the purchase price is payment in full for the acquisition of the following items now on the described property: Description on additional page(s). NONE
- P. This offer, if accepted by Owner, shall constitute a binding contract.

Waukesha County



Allison Bussler, Director
(Print Name and Title)

☐ ACCEPTED ☐ REJECTED

If Owner is not a Firm or Corporation, Sign Below.

Firm or Corporation

(Name of Firm or Corporation)

(Owner) _____ Date _____

(Officer) _____

(Title) _____ Date _____

(Owner) _____ Date _____

(Officer) _____

(Title) _____ Date _____

Legal Description

Fee Title in and to the following tract of land in Waukesha County, State of Wisconsin, described as follows:

That part of the Northeast 1/4 of the Northeast 1/4 of Section 24, Township 8 North, Range 19 East, in the in the Town of Lisbon, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the northeast corner of said Northeast 1/4; thence South 00°19'34" West, on and along the east line of said Northeast 1/4, 431.55 feet to the point of beginning; thence continuing South 00°19'34" West, on and along said east line, 90.75 feet; thence South 88°46'48" West, 50.02 feet; thence North 00°19'34" East, 90.75 feet; thence North 88°46'48" East, 50.02 feet; to the point of beginning.

This parcel contains **0.052 acres** of land already in use for highway purposes and **0.053 acres**, more or less, of additional land.

State Bar of Wisconsin Form 3 - 2003

QUIT CLAIM DEED

Document Number

Document Name

THIS DEED, made between SHAWN A. BRUNNER

("Grantor," whether one or more),

and TODD A. BRUNNER

("Grantee," whether one or more).

Grantor, quit claims to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in WAUKESHA County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

THE SOUTH ONE-HALF (1/2) OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE TOWN OF LISBON, COUNTY OF WAUKESHA, STATE OF WISCONSIN, TO-WIT; ALL OF A PARCEL OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER (1/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP EIGHT (8) NORTH OF RANGE NINETEEN (19) EAST, BOUNDED AND DESCRIBED MORE FULLY AS FOLLOWS, TO-WIT; COMMENCING AT THE NORTHEAST CORNER OF SECTION TWENTY-FOUR (24), THENCE RUNNING SOUTH ALONG THE EAST LINE OF SAID SECTION 338.70 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING ALONG THE EAST LINE OF SAID SECTION 181.50 FEET TO A POINT; THENCE CONTINUING WEST AND PARALLEL TO THE NORTH LINE OF SAID SECTION 600.00 FEET TO A POINT; THENCE CONTINUING NORTH AND PARALLEL TO THE EAST LINE OF SAID SECTION 181.50 FEET TO A POINT; THENCE CONTINUING EAST AND PARALLEL TO THE NORTH LINE OF SAID SECTION 600.00 FEET TO THE PLACE OF BEGINNING. PROPERTY ADDRESS: W220N7129 TOWN LINE ROAD. TAX KEY NO.: LSBT 0237.994.

Dated ~~AUGUST 15, 2010~~ April 13, 2011

3829068

REGISTER OF DEEDS
WAUKESHA COUNTY, WI
RECORDED ON

April 18, 2011 09:56 AM

James R Behrend
Register of Deeds1 PG
TOTAL FEE: \$30.00
TRANS FEE: \$0.00
BOOK Page -

Recording Area

Name and Return Address

SHAWN A. BRUNNER
PO BOX 252
HARTLAND, WI 53029

LSBT 0237994

Parcel Identification Number (PIN)

This IS NOT homestead property.
(is) (is not)

FEE

7725(8)

EXEMPT

(SEAL)

Shawn Brunner

(SEAL)

SHAWN BRUNNER

(SEAL)

(SEAL)

AUTHENTICATION

Signature(s) _____

authenticated on April 13, 2011* JONATHAN V. GOODMAN

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____)

authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:

Jonathan V. Goodman

Law Offices of Jonathan V. Goodman

ACKNOWLEDGMENT

STATE OF WISCONSIN

) ss.
COUNTY)Personally came before me on _____,
the above-named _____to me known to be the person(s) who executed the
foregoing instrument and acknowledged the same.* _____
Notary Public, State of Wisconsin

My Commission (is permanent) (expires: _____)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

QUIT CLAIM DEED

STATE BAR OF WISCONSIN

FORM No. 3-2003

*Type name below signatures.

Investment Specialists N39W27051 Glacier Rd Pewaukee, WI 53072-2328
Investment Specialists

Produced with ZipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 www.zipLogix.com

Phone: 262.695.9130

Fax: 262.691.2565

EXHIBIT

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